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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,555	01/02/2004	Wolfgang Gunter Ruckmann	W1.2280US	8774

7590 05/30/2006

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EXAMINER

HAUGLAND, SCOTT J

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/749,555

Applicant(s)

RUCKMANN ET AL.

Examiner

Scott Haugland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/23/06 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer (U.S. Pat. No. 4,605,209) in view of Iwase (U.S. Pat. No. 5,022,336).

Fischer discloses a device for drawing in paper webs in a web-fed printing press comprising a roller 30 adapted to guide the paper webs and a finite length paper web traction means 31 having paper web engaging means 34. The roller 30 has a passage 33 for receipt of the paper web engaging means 34. The traction means 31 is

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supported for movement with respect to the roller 30 between positions adjacent and spaced from the roller 30. The disclosed structure is capable of positioning the traction means away from the roller at completion of paper web leading end draw-in.

Fischer does not disclose a finite length guide providing an endless running path for the finite length traction means.

Iwase teaches feeding a continuous web of material using a finite length web traction means guided by a finite length guide.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Fischer with a web traction means guided by a finite length guide as taught by Iwase in lieu of the pin wheel traction means of Fischer to provide greater traction on the paper and reduce the tendency of the traction means to tear the paper.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Iwase as applied to claim 1 above, and further in view of Whitten (U.S. Pat. No. 5,605,267).

Fischer does not disclose telescoping supports for moving the guide support for the traction means.

Whitten teaches providing telescoping supports 35, 36 for moving traction means 30 relative to roll 3.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Fischer with telescoping supports acting on the traction

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means and its support as taught by Whitten to provide the required drive to separate and engage the traction means and roll and since it would have been apparent to an ordinary artisan that the separation of the traction means and roll could be accomplished by movement of the traction means instead of the roll.

Response to Arguments

Applicants' arguments filed 3/23/06 have been fully considered but they are not persuasive.

Applicants argue that the apparatus of Breton is not useable as a web draw-in device. However, the device is disclosed for use in drawing in webs of short length and would be capable of drawing in long webs. In this regard, the claims only recite intended use of the device of which use the Breton device is capable. Breton does not disclose other features of the claims as currently amended. These are addressed in the current rejection based on Fischer which discloses an apparatus for drawing in paper webs in a web-fed printing press.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. Wood (U.S. Pat. No. 2,107,462) and Avellanet et al (U.S. Pat. No. 4,376,589) are cited to show web traction means having web penetrating projections received in cooperating rollers. Oono et al (U.S. Pat. No. 5,320,267) is cited to show a web feeder having web penetrating pins carried by an endless belt.

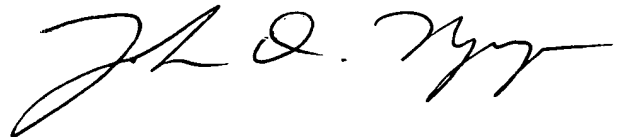
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


sjh
5/24/06



**JOHN Q. NGUYEN
PRIMARY EXAMINER**